

*I fw*

| TRANSMITTAL OF INFORMATION DISCLOSURE STATEMENT<br>(Under 37 CFR 1.97(b) or 1.97(c))                                                                                                                                                                                                                                                                                                                                                                                                                                                                              |                                        |                               |                              | Docket No.<br>16360                 |                                       |
|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------------------------------------|-------------------------------|------------------------------|-------------------------------------|---------------------------------------|
| In Re Application Of: <b>Burton Altura</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        |                                        |                               |                              |                                     |                                       |
| Application No.<br><b>10/564,946</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              | Filing Date<br><b>January 17, 2006</b> | Examiner<br><b>Unassigned</b> | Customer No.<br><b>23389</b> | Group Art Unit<br><b>Unassigned</b> | Confirmation No.<br><b>Unassigned</b> |
| Title:<br><b>HOST DEFENSE FACTOR X (HDFX)</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     |                                        |                               |                              |                                     |                                       |
| Address to:<br><b>Commissioner for Patents<br/>P.O. Box 1450<br/>Alexandria, VA 22313-1450</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                    |                                        |                               |                              |                                     |                                       |
| <b>37 CFR 1.97(b)</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             |                                        |                               |                              |                                     |                                       |
| 1. <input checked="" type="checkbox"/> The Information Disclosure Statement submitted herewith is being filed within three months of the filing of a national application other than a continued prosecution application under 37 CFR 1.53(d); within three months of the date of entry of the national stage as set forth in 37 CFR 1.491 in an international application; before the mailing of a first Office Action on the merits, or before the mailing of a first Office Action after the filing of a request for continued examination under 37 CFR 1.114. |                                        |                               |                              |                                     |                                       |
| <b>37 CFR 1.97(c)</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             |                                        |                               |                              |                                     |                                       |
| 2. <input type="checkbox"/> The Information Disclosure Statement submitted herewith is being filed after the period specified in 37 CFR 1.97(b), provided that the Information Disclosure Statement is filed before the mailing date of a Final Action under 37 CFR 1.113, a Notice of Allowance under 37 CFR 1.311, or an Action that otherwise closes prosecution in the application, and is accompanied by one of:                                                                                                                                             |                                        |                               |                              |                                     |                                       |
| <input type="checkbox"/> the statement specified in 37 CFR 1.97(e);                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               |                                        |                               |                              |                                     |                                       |
| <b>OR</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         |                                        |                               |                              |                                     |                                       |
| <input type="checkbox"/> the fee set forth in 37 CFR 1.17(p).                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     |                                        |                               |                              |                                     |                                       |

**TRANSMITTAL OF INFORMATION DISCLOSURE STATEMENT**  
(Under 37 CFR 1.97(b) or 1.97(c))

Docket No.  
16360

In Re Application of: **Burton Altura**

| Application No. | Filing Date      | Examiner   | Customer No. | Group Art Unit | Confirmation No. |
|-----------------|------------------|------------|--------------|----------------|------------------|
| 10/564,946      | January 17, 2006 | Unassigned | 23389        | Unassigned     | Unassigned       |

Title:  
**HOST DEFENSE FACTOR X (HDFX)**

**Payment of Fee**

(Only complete if Applicant elects to pay the fee set forth in 37 CFR 1.17(p))

- ☐ A check in the amount of \_\_\_\_\_ is attached.
- ☒ The Director is hereby authorized to charge and credit Deposit Account No. 19-1013/SSMP as described below.
- ☐ Charge the amount of \_\_\_\_\_
- ☒ Credit any overpayment.
- ☒ Charge any additional fee required.
- ☐ Payment by credit card. Form PTO-2038 is attached.

**WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.**

**Certificate of Transmission by Facsimile\***

I certify that this document and authorization to charge deposit account is being facsimile transmitted to the United States Patent and Trademark Office (Fa

\_\_\_\_\_  
(Date)

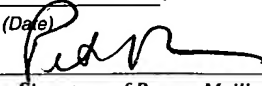
\_\_\_\_\_  
Signature

\_\_\_\_\_  
Typed or Printed Name of Person Signing Certificate

**Certificate of Mailing by First Class Mail**

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to "Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450" [37 CFR 1.8(a)] on

September 8, 2006  
(Date)

  
Signature of Person Mailing Correspondence

**Peter I. Bernstein**  
Typed or Printed Name of Person Mailing Certificate

\*This certificate may only be used if paying by deposit account.

  
Signature

Dated: **September 8, 2006**

**Peter I. Bernstein**  
Registration No. 43,497  
Scully, Scott, Murphy & Presser, P.C.  
400 Garden City Plaza, Suite 300  
Garden City, New York 11530  
516-742-4343

CC:



**Examiner:** Unassigned

**Art Unit:** Unassigned

**Docket:** 16360

**Dated:** September 8, 2006

**Mail Stop PCT  
Commissioner for Patents  
P. O. Box 1450  
Alexandria, VA 22313-1450**

## INFORMATION DISCLOSURE STATEMENT

Sir:


In accordance with 37 C.F.R §§1.97 and 1.98, it is requested that the following references, which are also listed on the attached Form PTO-1449, be made of record in the above-identified case.

1. European Patent Publication No. 1 228 097, dated August 7, 2002, published by the WIPO as WO 01/34641 A2, published May 17, 2001;
2. PCT International Publication No. WO 01/72322 A2, published October 4, 2001;
3. European Patent Publication No. 0 437 958, published July 24, 1991;

**CERTIFICATE OF MAILING UNDER 37 C.F.R. §1.8(a)**

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Mail Stop PCT, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

Dated: September 8, 2006

50.   
Peter I. Bernstein

4. Nakajima M. et al., "Expression and Purification of Recombinant Rat Eosinophil-Associated Ribonucleases, Homologues of Human Eosinophil Cationic Protein and Eosinophil-Derived Neurotoxin, and Their Characterization", *Int. Arch. Allergy Immunol*, 125:241-249 (2001), XP-009068770; and
5. Knittel T. et al., "The Complement Activating Protease P100 is Expressed by Hepatocytes of Rat Liver and is Induced by Interleukin-6 In Vitro and During the Acute Phase Reaction In Vivo", *Hepatology*, 26(4-part 2):227A (1997), XP009068772.

The references were cited in a Supplementary Search Report dated July 10, 2006 received from the European Patent Office. Applicant is submitting a copy of the above-cited references, together with a copy of the Supplementary Search Report. The relevance of the above-identified references has been described in the Search Report.

Further, the undersigned hereby states that each item of information contained in this Information Disclosure Statement was first cited in any communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of this Information Disclosure Statement.

Respectfully submitted,



Peter I. Bernstein  
Registration No. 43,497

Scully, Scott, Murphy & Presser, P.C.  
400 Garden City Plaza, Suite 300  
Garden City, New York 11530  
(516) 742-4343

PIB:dg

|                                                                                    |  |  |  |                                                                          |  |                                                                         |  |
|------------------------------------------------------------------------------------|--|--|--|--------------------------------------------------------------------------|--|-------------------------------------------------------------------------|--|
| <b>INFORMATION DISCLOSURE CITATION</b><br><i>(Use several sheets if necessary)</i> |  |  |  | Docket Number (Optional)<br><div style="text-align: center;">16360</div> |  | Application Number<br><div style="text-align: center;">10/564,946</div> |  |
|                                                                                    |  |  |  | Applicant(s)<br><div style="text-align: center;">Burton Altura</div>     |  |                                                                         |  |
|                                                                                    |  |  |  | Filing Date<br><div style="text-align: center;">January 17, 2006</div>   |  | Group Art Unit<br><div style="text-align: center;">Unassigned</div>     |  |

| U.S. PATENT DOCUMENTS |     |                 |      |      |       |          |                               |
|-----------------------|-----|-----------------|------|------|-------|----------|-------------------------------|
| *EXAMINER<br>INITIAL  | REF | DOCUMENT NUMBER | DATE | NAME | CLASS | SUBCLASS | FILING DATE<br>IF APPROPRIATE |
|                       |     |                 |      |      |       |          |                               |
|                       |     |                 |      |      |       |          |                               |
|                       |     |                 |      |      |       |          |                               |
|                       |     |                 |      |      |       |          |                               |
|                       |     |                 |      |      |       |          |                               |

| U.S. PATENT APPLICATION PUBLICATIONS |     |                 |      |      |       |          |                               |
|--------------------------------------|-----|-----------------|------|------|-------|----------|-------------------------------|
| *EXAMINER<br>INITIAL                 | REF | DOCUMENT NUMBER | DATE | NAME | CLASS | SUBCLASS | FILING DATE<br>IF APPROPRIATE |
|                                      |     |                 |      |      |       |          |                               |
|                                      |     |                 |      |      |       |          |                               |
|                                      |     |                 |      |      |       |          |                               |
|                                      |     |                 |      |      |       |          |                               |

| FOREIGN PATENT DOCUMENTS |     |                 |         |                    |       |          |             |    |
|--------------------------|-----|-----------------|---------|--------------------|-------|----------|-------------|----|
|                          | REF | DOCUMENT NUMBER | DATE    | COUNTRY            | CLASS | SUBCLASS | Translation |    |
|                          |     |                 |         |                    |       |          | YES         | NO |
|                          |     | WO 01/34641 A2  | 5/17/01 | PCT (EP 1 228 097) |       |          | ✓           |    |
|                          |     | WO 01/72322 A2  | 10/4/01 | PCT                |       |          | ✓           |    |
|                          |     | 0 437 958       | 7/24/91 | Europe             |       |          | ✓           |    |
|                          |     |                 |         |                    |       |          |             |    |
|                          |     |                 |         |                    |       |          |             |    |

| OTHER DOCUMENTS |  | (Including Author, Title, Date, Pertinent Pages, Etc.)                                                                                                                                                                                                                                |
|-----------------|--|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
|                 |  | Nakajima M. et al., "Expression and Purification of Recombinant Rat Eosinophil-Associated Ribonucleases, Homologues of Human Eosinophil Cationic Protein and Eosinophil-Derived Neurotoxin, and Their Characterization", Int. Arch. Allergy Immunol, 125:241-249 (2001), XP-009068770 |
|                 |  | Knittel T. et al., "The Complement Activating Protease P100 is Expressed by Hepatocytes of Rat Liver and is Induced by Interleukin-6 In Vitro and During the Acute Phase Reaction In Vivo", Hepatology, 26(4-part 2):227A (1997), XP009068772                                         |

|          |                 |
|----------|-----------------|
| EXAMINER | DATE CONSIDERED |
|----------|-----------------|

EXAMINER: Initial if citation considered, whether or not citation is in conformance with MPEP Section 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.